

CSD 2011 [12/01/09]

Name, Address, Telephone No. & I.D. No.

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UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF CALIFORNIA
 325 West "F" Street, San Diego, California 92101-6991

In Re

James Donald Shepard
 Palursa Shepard

BANKRUPTCY NO. 13-03729-LT13

Debtor.

TRUSTEE'S MOTION TO DISMISS CASE AND ORDER

The undersigned Trustee respectfully represents that:

More than fourteen (14) days have elapsed since the filing of the petition and the debtor has failed to timely file either schedules, statements and/or plan required pursuant to Fed. R. Bankr. P. 1007(b) or a motion for extension of time pursuant to Fed. R. Bankr. P. 1007(a)(4).

The debtor failed to appear and testify at the regularly scheduled and duly noticed First Meeting of Creditors held on _____ pursuant to 11 U.S.C. § 341(a) or any continued Meeting of Creditors scheduled thereafter.

If checked, this case was filed by the filing of a joint petition and this motion applies to only one of the debtors, namely: _____.

Wherefore, the Trustee moves that the within case be dismissed without prejudice.

Dated: April 26, 2013

/s/ Jenny Judith Ha, Staff Attorney for

Chapter 7 Trustee Chapter 13 Trustee

ORDER

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. The above-entitled case is dismissed without prejudice as to the above-named debtor only.
2. All related adversary proceedings which are pending are also dismissed subject to the provisions of Local Bankruptcy Rule 7041-3.
3. All stays now in effect for this case are vacated and the provisions of 11 U.S.C. § 349 shall hereafter apply.

DATED: April 26, 2013

Jenny Judith Ha
 Judge, United States Bankruptcy Court

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

By: /s/ Jenny Judith Ha, Staff Attorney for
Trustee